

**MINUTES**  
**PROTECTION & WELFARE COMMITTEE**  
**Monday, April 25, 2016**  
**City Hall, Room 207**  
**5:00 p.m.**

**MEMBERS PRESENT:** Ald. Dorff, Ald. Galvin, Ald. Scannell, Ald. Zima  
**MEMBERS EXCUSED:** None  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Asst. City Atty. Kristen Bohnert  
Captain Knoebel - Green Bay Police Dept.,  
Other interested parties.

1. Roll Call.  
The meeting was called to order by senior member, Ald. Guy Zima.  
Ald. Dorff, Ald. Galvin, Ald. Scannell, and Ald. Zima were present.
2. Election of Chairman and Vice-Chairman.  
Nomination made by Ald. Dorff for Ald. Scannell as Chairman of the Protection & Welfare Committee. Nominations closed.  
Motion by Ald. Dorff, and seconded by Ald. Galvin to cast a unanimous ballot for Ald. Scannell as Chairman of the Protection & Welfare Committee. Motion carried.

At this point on the agenda. Ald. Scannell took over in his role as Chairman of the committee.

Nomination made Ald. Galvin for Ald. Dorff as Vice-Chair of the Protection & Welfare Committee. Nominations Closed.  
Motion by Ald. Galvin, seconded by Ald. Zima to cast a unanimous ballot for Ald. Dorff as Vice-Chair of the Protection & Welfare Committee.  
Motion carried.

3. Set Day and Time for Future Meetings.  
The consensus was to keep the meeting day and time the same as previously – 2<sup>nd</sup> & 4<sup>th</sup> Monday of the month at 5 p.m. Ald. Zima suggested that if there is a conflict with a particular member, an alternative be appointed to be approved by committee members.

Motion made by Ald. Zima, seconded by Ald. Dorff to approve meetings of this committee be held on the 2<sup>nd</sup> & 4<sup>th</sup> Monday at 5 p.m. subject to cancellation if conflict. Motion carried.

In the past this committee has had a summer schedule, meeting only once a month. Ald. Zima disagreed with this practice, suggesting there be discussion with the Council that meetings be kept to twice a month in order to keep business moving along. A communication will be sent asking for this idea to be on their agenda.

4. Approval of the Agenda.  
Motion made by Ald. Zima, seconded by Ald. Dorff to approve the agenda.  
Motion carried.

5. Approval of the minutes from the April 11, 2016 meeting.  
Motion made by Ald. Zima, seconded by Ald. Galvin to approve the minutes from the April 11, 2016 meeting. Motion carried.

Ald. Scannell announced that all actions taken at this meeting will go before the City Council for final approval.

6. Request by the owners of Scoreboard Grille, 2511 W. Mason Street, to amend their liquor license to include an outdoor patio.

Asst. City Attorney, Kristen Bohnert, stated the Law Department has no objection. Captain Knoebel of the Police Department stated the Police Department has no objections. He has met with the owner and understands the patio will be on the front end of the building away from the neighborhood and will close by 10 p.m.

Ald. Zima confirmed there will be a 6 foot wall or fence built around the patio. There will be music by an acoustic band who will finish by 10 p.m. Ald. Zima suggested that approval be given subject to complaint.

Motion made by Ald. Zima, seconded by Ald. Dorff to approve the request by the owners of Scoreboard Grille, 22511 W. Mason Street, to amend their liquor license to include an outdoor patio subject to complaint. Motion carried.

7. Application by Amanda Patterson to transfer her "Class B" Combination from 143 N. Broadway to 225 E. Walnut Street.

Both the Law Department and Police Department voice no objections to this request.

Motion made by Ald. Zima, seconded by Ald. Dorff to approve the Application by Amanda Patterson to transfer her "Class B" Combination from 143 N. Broadway to 225 E. Walnut Street, with the approval of the proper authorities. Motion carried.

8. Appeal by Eric Olson to the denial of his Operator License application.

Atty. Bohnert explained there had been an active warrant for a municipal citation, however, that has now been paid and the Law Department recommends approval. The Police Department concurred with this recommendation.

Motion made by Ald. Zima, seconded by Ald. Galvin to approve the appeal by Eric Olson to the denial of his Operator License application. Motion carried.

9. Appeal by Sabrina Murray to the denial of her Operator License application.

Atty. Bohnert stated that the Law Department recommends denial due to past criminal record involving a 2010 bomb scare.

Motion made by Ald. Zima, seconded by Ald. Galvin to open the floor to allow interested parties to speak. Motion carried.

Sabrina Murray – 1735 Eastman Avenue

Stated she had been fired at the time of this incident and was not on her medication. She called in a prank phone call of a bomb scare, requiring the building to be evacuated. She noted she has had no incidents since that time.

Motion made by Ald. Zima, seconded by Ald. Scannell to return to regular order of business. Motion carried.

Motion by Ald. Zima to approve the appeal by Sabrina Murray to the denial of her Operator License application subject to a six month review.

Atty. Bohnert explained that once a license is granted, it cannot be brought back. It can only be reviewed at the time of renewal. If there is an additional citation it would go before the municipal court and that can then be used as a basis for a future application or that a license be pulled for a hearing.

Ald. Zima pointed out this offense is six years old, again recommending approval with a six month report of any violations. The Law Department indicated that they would receive any report of liquor violation which can then be brought to committee for action.

Motion by Ald. Zima, seconded by Ald. Dorff to approve the appeal by Sabrina Murray to the denial of her Operator License application subject to a six month review. Motion carried.

10. Request by Ald. Zima that the City consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores.

Ald. Zima distributed information related to this item, stating that many areas of the country have been successful when prohibiting the sale of single cans or bottles of beer or alcohol in areas of crime and alcohol related police calls. He indicated there have been incidents of breaking into cars to get small amounts of change for such purchases in areas of convenience stores. Littering is also an issue in these areas. He feels that buying in volume is more likely to be a regular customer and limiting single buying would eliminate some of these problems of robbery and littering.

Zima stated he feels the idea is worthy of review, asking that the committee review the information he provided and that the item be referred to the Chief and

staff. In the meantime, he will provide some sample ordinances to the legal department.

Ald. Dorff stated that she also did research which found that limiting single liquor sales has been found to lead to less violence. When asked how the ordinance would work, Atty. Bohnert explained they Law Department has already compiled sample ordinances, one being from Illinois where they have banned the sale of single cans of beer and malt liquor, and single containers of wine and alcohol, unless over a certain weight.

Ald. Galvin stated that he spoke with Julia Sherman with the Wisconsin Alcohol Policy Project who has information on ordinances in various communities. He questioned the sale of specialty single bottles from area craft breweries, stating he would not like to have this type of ordinance impact or hurt their business.

Atty. Bohnert noted that craft breweries are not licensed by the City but instead are permitted through the State. They could be excluded as a condition of the ordinance.

Ald. Dorff stated she was not familiar with what is sold at brew pubs and it was explained that larger specialty beers are sold individually, or in 4 packs or larger containers. These businesses are licensed by the State and operate under different rules than a liquor store or convenience store. It was suggested that a new ordinance be conditioned on the anniversary of license renewal.

Ald. Scannell stated he has been told by Neighborhood Associations that the purchase of single beverages is a problem they would like to see limited.

Motion made by Ald. Zima, seconded by Ald. Galvin to refer to the Chief and staff the request by Ald. Zima that the City consider prohibiting the sale of single cans or bottles of beer and single small bottles of alcohol from convenience stores and liquor stores and report back. Motion carried.

11. Request by Ald. Zima, on behalf of Will Liebergen, that the City consider adopting a commercial pedal car ordinance and license.

Ald. Zima referred to packet material related to this item. He asked that the floor be opened for interested parties to speak.

Motion made by Ald. Zima, seconded by Ald. Galvin to open the floor for interested parties. Motion carried.

Will Liebergen – North Broadway

Mr. Liebergen pointed out there are other communities in the state who have an ordinance related to the licensing of commercial pedal cars which are legal to purchase. At this time, Green Bay area does not have an ordinance, noting that at any time a business could be opened. A vehicle would cost approximately \$50,000 to \$75,000, and a franchise could cost upwards of \$80,000. Vehicles would be operated on streets, not trails. Mr. Liebergen stated he found sample ordinances on line and through manufacturers of these vehicles which cover

motor assist, headlights, brakes, noise levels, typical routes of use (restaurants), number of riders getting on and off, etc. It was agreed that travel plans/routes approved by the committee would be advantageous.

Ald. Zima addressed various issues, one including potential alcohol use. Mr. Liebergen stated that if riders are picked up there is a fee to get on, there might be beer tasting or purchase of alcohol from various establishments, or merely a ride to a specific event.

Atty. Bohnert indicated that the State does regulate how much alcohol can be carried on the vehicle, at this time 36 fluid oz per person.

Although approving the use, Ald. Dorff stated that in reviewing the sample ordinance she found a restriction limiting the driver to drink. She serves on the Drunk Driving Task Force. Liebergen stated there is a zero tolerance for the driver to drink.

Liebergen stated that the bottom line is whether to not have any ordinance or to make the use legal and tied to the business which would require responsibility to the owner. Milwaukee, Madison, and Minneapolis all have vehicles.

Atty. Bohnert noted that State law mandates that any conviction under State Statute or City ordinance related to alcohol use by the driver requires the Court to permanently take away the right to drive.

Ald. Zima asked that the matter be referred to the Chief and to staff for further input at the next meeting.

Motion made by Ald. Zima, seconded by Ald. Galvin to refer to the Chief and staff the request by Ald. Zima, on behalf of Will Liebergen, that the City consider adopting a commercial pedal car ordinance and license with a reply by the next meeting of this committee. Motion carried.

A motion was made by Ald. Galvin, seconded by Ald. Dorff to adjourn at 6:00 p.m. Motion carried.

Respectfully submitted by:

Rae G. Knippel  
Recording Secretary